



"Public Health - Always Working for a Safer and Healthier Washington"

**Nursing Care Quality Assurance Commission
Workshop and Business Meeting Minutes
March 10, 11, 2005**

Commission Members present: Dr. Judith D. Personett, EdD, RN, Chair
Jacqueline Rowe, RN, Co-Chair
Karen Brewer, Public Member
Richard Cooley, LPN
Martha J. Herriott, PhD, ARNP
Rev. Ezra Kinlow, Public Member
Roberta Schott, LPN
Marlene Wells, LPN
Mariann Williams, RN, MPH, ARNP
Susan Wong, MBA, MPA, RN

Assistant Attorney General present: Laura Williams, Assistant Attorney General

Pro Tem Members present: Martin Bernstein, Public member
Jan Claypool, RN, MN
Joan Davidson, RN, MA
Shannon Fitzgerald, RN, MSN, ARNP
Carol J. Nelson, RN, MSN
Carolyn L. Nelson, RN, BSN, MA
Susan Norwood, EdD, RN
Cheryl Payseno, RN, MPA
Jeanne Vincent, RN, MS, CPHQ
Penelope Woodruff, MS, RN
Susan B. Woods, RN, PHD

Staff present: Paula R. Meyer, RN, MSN, Executive Director
Kris McLaughlin, Secretary
Usrah Claar-Rice, RN, MSN, Nursing Education Manager
Chuck Cumiskey, RN, Nurse Practice Manager
Trent Kelly, Supervising Staff Attorney
Kendra Pitzler, Health Services Consultant
Terry West, Health Service Consultant

Workshop – March 10, 2005 – 8:30AM – 4:30PM

- I. **Dr. Judith Personett, Chair, Nursing Care Quality Assurance Commission (NCQAC) opened the workshop at 8:30AM on March 10, 2005.**

8:30AM – 9:15AM K-12 Student Health Issues and Nursing Care – Shannon Fitzgerald, RN, MSN, ARNP, NCQAC Pro tem member and Gail Thronson, R.N., M.Ed, Office of Superintendent of Public Instruction Health Services Program

A power point presentation, *NASN Presentaion 7/13/04, Unmet Student Health Needs: Shaping a New School Nurse Delivery System in Washington*, was presented by Ms. Shannon Fitzgerald and Ms. Gail Thronson on K-12 Student Health Issues and Nursing Care. A copy of the presentation is available upon request. Ms. Thronson explained that schools are struggling to find resources to meet the educational needs of students impacted by increasingly complex student health needs. Schools rely on the Washington State School Nurse Corps Program

to help address those needs. More information on the Washington State School Nurse Corps Program can be obtained by contacting Ms. Thronson at 360-725-6040 or via the OSPI Web site at:
<http://www.k12.wa.us/HealthServices/default.aspx>

11:00AM –NOON **Karen Haas-Herrick, RN, MN, Executive Director, Northwest Organization of Nurse Executives (NZONE), immediate past president of American Organization of Nurse Executives (AONE) gave a presentation on the AONE Future Work of the Nurse**

Ms. Haas-Herrick reported on the future work of the nurse and guiding principles to define future patient care delivery models. The model describes skills of the nurses who will be providing care to our patients and populations in the future. A copy of the *Future Care Delivery Models, Transitioning to the Future Work of the Nurse*, can be obtained by contacting the NCQAC office at 360-236-4713.

1:30PM – 2:00PM **Fines and Cost Recovery – Barbara Evans Cordts, Supervising Staff Attorney**

2:00PM – 3:00PM **Settlements Process – Shannon Fitzgerald, RN, MSN, ARNP, Pro tem member, Trent Kelly, Supervising Staff Attorney and Mike Tribble Assistant Attorney General**

The panel explained the Case Disposition Guidelines which outlines the steps for determining fair and uniform sanctions for respondents.

The settlement process presentation focused on the role of the Reviewing Commission Member (RCM) during settlement negotiations and included the negotiation process, phases of settlement and laws related to settlement. Negotiation styles and pitfalls to avoid were also presented.

3:00pm – 4:30pm **Use of Expert Witnesses – Jeanne Vincent, RN, MS, CPHQ and Pro tem member, Kim O’Neal, Assistant Attorney General, Health licensing Section Chief and Trent Kelly, Supervising Staff Attorney**

The expert witness presentation covered the role experts play in litigation, their necessity in certain cases, the role and limitations of the Reviewing Commission Member in choice of an expert witness, and pitfalls to avoid in use of experts.

II. NCQAC Business meeting – March 11, 2005, 8:30AM – 5:00PM

1. Dr. Judith D. Personett, EdD, RN, Chair, opened the March 11, 2005 meeting at 8:30AM.

- Call to Order
- Introductions
- Order of Agenda
- Correspondence
- Announcements

2. Consent Agenda—DISCUSSION/ACTION

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- Approval of minutes
 - Nursing Care Quality Assurance Commission business meeting minutes
 - January 14, 2005
 - Nursing Care Quality Assurance Commission disciplinary hearing minutes
- Commission on Graduates of Foreign Nursing Schools (CGFNS) correspondence
- National Council of State Boards of Nursing (NCSBN) correspondence
 - Financial Statements September 30, 2004
- Nursing Program Approval Panel (NPAP) minutes
 - January 11, 2005
- Taxonomy of Error Root Cause Analysis Practice-Responsibility (TERCAP) Launch and Training

- Nursing Care Quality Assurance Commission Subcommittee minutes
 - Education Subcommittee minutes November 30, 2004
 - Disciplinary Subcommittee minutes January 25, 2005
 - Practice Subcommittee minutes January 12, 2005 and February 9, 2005

ACTION: A motion was made and approved to accept the consent agenda.

3. Chair Report — Dr. Judith D. Personett, - DISCUSSION/ACTION

DISCUSSION: Dr. Personett reported on her attendance at the National Stakeholders Meeting on Advanced Registered Nurse Practitioner issues held December 16, 2004, in Silver Spring, Maryland. Dr. Margretta Madden Styles provided the keynote address, *“Advanced Practice Nursing: Definitions, Position, Examples, Issues,”* that set the stage for the follow-up four member reaction panel and the afternoon’s facilitated discussion. Dr. Styles explained that confirmation of definitions of terms should begin any discussion of regulatory and licensure issues. She offered several models to consider during her explanation and assessment of the current environments of state licensure, national certification, and national accreditation. A copy of Dr. Styles presentation, *National Nurses Stakeholder Meeting on Advanced Practice*, is available upon request from the NCQAC office at 360-236-4713.

4. Executive Director Report – Paula Meyer - DISCUSSION/ACTION

- **Paula Meyer was not able to attend due to a family illness. Terry West functioned as the Acting Executive Director. Ms. West reported that Gov. Christine Gregoire will be speaking at the July 6 Board Commission Committee Conference.**

- **The need to curtail spending until next biennium was discussed. Health Professions Quality Assurance (HPQA) must balance the amount spent with what has been allotted. Some cost cutting measures include:**

- **Delay hiring in positions vacated until after July 1, 2005, the beginning of the next biennium;**
- **Lay off or reduce temporary employee hours;**
- **Reduction in travel; and**
- **Reduction in supplies purchased to absolutely essential needs.**

HPQA is looking at cost covering measures for the use of expert witnesses, who are very expensive but well needed. Holding the May NCQAC meeting via video conference, which would reduce travel expenses was discussed.

DECISION: The commission decided to hold the May business meeting by video conference in order to cut costs.

- **A copy of the 2005 edition of the National Council of State Boards of Nursing (NCSBN) Awards were included in the commission packets.**

DECISION: The commission made a decision to defer input to this program until next year.

- **Dave Magby, Chief Investigator of Department of Health Investigations Service Unit, requested consideration from the commission for delegation of signature authority for investigative subpoenas for himself and his two Assistant Chiefs.**

ACTION: The commission made and passed a motion to grant signature authority to Chief Investigator Dave Magby and his deputy chiefs, James Smith and Donald Painter for signing investigative subpoenas. This will be in addition to current signature authority of Paula Meyer and Terry West.

- **Chuck Cumiskey gave an update on the current Legislative activities.**
 - The NCQAC members (HB1075) bill has made it out of committee

- The Nursing Center bill (HB1353) went to Ways and Means
- Mandatory Overtime bill (HB1371) died
- ARNP's with Prescriptive Authority bill (HB1479) is on its way to the Senate
- Delivery of Health Care Services in Schools bill (HB1494) passed in rules
- Nursing Facility Payment bill (HB1571) died
- Children's Health Services (HB1624) died
- Right of conscience bill HB1654) died
- Reducing Injuries bill (HB1672) died
- Health Care Staffing bill (HB1710) died
- Abortions/non physicians (HB1774) died
- HB1780 Legible Prescriptions died
- HB1787 Home Care Agencies died
- HB1988 Genetic Counselors died
- HB2095 Pharmaceutical birth control died
- HB2112 Fairness and Equity in Health Professions Licensing Fees died but the companion Bill 1371 went to Ways and Means
- SB5516 Prescriptive Authority bill went to Rules
- SB5569 Nursing Facility Payment passed Ways and Means
- SB5570 Nursing Facility Bed Tax passed Ways and Means
- SB5599 Nursing Center went to Rules

5. Discussion items - DISCUSSION/ACTION

If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for decision to proceed.

6. Nursing Care Quality Assurance Commission Newsletter Report – Terry West – DISCUSSION

DISCUSSION: The NCQAC will be producing a newsletter. Cost models have been developed associated with various methods of production. Ms. West brought two sample newsletters for the commission to review. There are still a few issues that need to be researched. A full report will be given at the May business meeting.

7. International Nurse Issues Subcommittee, National Council of State Boards of Nursing (NCSBN) – Usrah Claar-Rice – DISCUSSION

DISCUSSION: Ms. Claar-Rice provided a report on the NCSBN sub-committee meeting held January 31 – February 1 in Chicago. Ms. Claar-Rice reported this is her third year on this committee and the second meeting she has attended this year. The charge for this committee is to collect and evaluate methods to facilitate the transition and assimilation of the international nurses to the healthcare system and culture of the U.S. The NCSBN staff surveyed employers (hospitals), member boards and recruiters regarding issues related to international nurses and specific transition program details. The committee reviewed license data from NCSBN profiles. The four most common countries of origin of nurses entering the U.S. were Philippines, Canada, India and South Korea. The transition to both American culture and American nursing practice are issues, as well as both the internationally-trained and the U.S. trained nurses complaining of not being able to understand each others spoken English. International NCLEX® testing began in January, 2005, in Hong Kong, London and Seoul. Eligibility for these tests are authorized by individual State Boards of Nursing. The candidates may choose their own test site.

8. Health Professions Quality Assurance (HPQA) Profession Fee Adjustment – Terry West – DISCUSSION/ACTION

DISCUSSION: Ms. West provided an update on the latest plans to adjust renewal fees in order to reduce the reserve revenue – what amount is currently collected, and what is in reserve. Questions such as why can't we use the surplus and why do we have to have a \$5.00 surcharge were asked. Ms. West answered that these are two separate issues. The spending authority has to be approved by the Legislature. Information will be forthcoming to the Boards and Commissions as well as the licensees.

9. Licensed Practical Nurses and Military Training – Paula Meyer, Dr. Judith Personett, Mariann Williams - DISCUSSION

DISCUSSION: Ms. Mariann Williams explained the handout on Military Personnel and Spouses Relocating to Maryland. The information packet is designed for military service members and their spouses interested in pursuing a medical career. The guide was produced by a project of the Maryland Governor's Workforce Investment Board, a division of the Maryland Department of Labor, Licensing and Regulation.

Ms. Williams reported on the conference call on recognizing military training in LPN education programs that was held March 2, 2005. Another conference call will be scheduled for late April. An update from Cmdr Darlene Zeckser, US Navy, will be provided at the May meeting. Ellen Rosbach is doing a comparison with the Air Force curriculum and will make it available in the future.

Ms. Ellen Rosbach's report "*A Comparison of the Naval Hospital Corps School Curriculum to the Washington State Nursing Care Quality Assurance Commission Requirements for Practical Nursing Programs*" is available upon request by calling the commission office at (360) 236-4713.

10. Continuing Competency Report – Paula Meyer, Terry West – DISCUSSION/ACTION

DISCUSSION: According to the purpose statement of the NCQAC, the NCQAC will determine continuing competency of Licensed Practical Nurses (LPNs), Registered Nurses (RNs), and Advanced Registered Nurse Practitioners (ARNPs).

DECISION: A decision was made to defer the report until May.

11. Nominating Committee for 2005 Nursing Care Quality Assurance Commission Officers – Paula Meyer – DISCUSSION/ACTION

DISCUSSION: Dr. Personett appointed a Nominations Committee. The Nominations Committee will present the slate of candidates to the Commission at the May meeting and the Commission will approve the slate of candidates. The election of the officers will be held in May. At the July meeting the New Chair and Vice Chair will take office.

DECISION: Appointments to nominating committee are Susan Wong, Karen Brewer and Marlene Wells.

11:00 AM to 11:30 AM Executive Session if needed

An executive session was not needed.

LUNCH

1:00PM–OPEN MIKE

12. Discipline Subcommittee - Jackie Rowe – DISCUSSION/ACTION

- **Draft Washington Health Professions Services (WHPS) Compliance Closure letter**

ACTION: A motion was made and passed to accept the Washington Health Professional Services Compliance Closure letter with corrections. The second paragraph second sentence will read: *Therefore, you have completed your initial STID requirements and your compliance file with the Commission has been closed.*

- **Revise the Nursing Care Quality Assurance Commission substance abuse policy**

DISCUSSION: The most current version of the Substance Abuse Orders was distributed at the meeting, policy number A20.03. Ms. Jackie Rowe explained the WHPS process and the success rate for nurses in the program. Special recognition was extended to Cheryl Payseno for all the work she did on this policy.

ACTION: The commission made a motion and passed the Substance Abuse Policy, A20.03 with corrections.

13. Practice Subcommittee - Dr. Judith Personett - DISCUSSION/ACTION

- **LPN IV Position Statements Taskforce Report**

DISCUSSION: The members of the taskforce have not been able to meet. The report will be deferred for a future meeting.

- **Procedural Sedation Position Statement Task Force Report**

DISCUSSION: A report will be given to the commission after the task force meets in April.

- **Seizure Management Position Statement Final Draft**

ACTION: The commission made a motion and passed the Seizure Management Position Statement final draft dated March 11, 2005 with edits.

- **Office Based Surgery Guidelines from the Medical Commission**

DISCUSSION: Mr. Cumiskey explained to the commission the discussion he had with the members of Medical Care Quality Assurance Commission regarding the concerns of nurses working in office based care settings.

ACTION: A motion was made and passed to accept the statement with editorial corrections and forward to the Medical Quality Assurance Commission.

14. Education Subcommittee – Mariann Williams - DISCUSSION /ACTION

- **Education Subcommittee Purpose and Duties Statement**

ACTION: The Education Subcommittee has moved and seconded the adoption of the Purpose and Duties document regarding function and scope of the Education committee and duties of the chairperson dated January 25, 2005.

- **Subcommittee Annual Work Plan 2004-2005**

Discussion: Ms. Mariann Williams reported that most of the items on the Education Subcommittee annual work plan have been completed. Evaluating non-traditional programs and the definition of programs WAC 246-840-010 (21) and WAC 246-840-010 (24) are both done. The Foreign nurse licensure (reduce barriers and make rules consistent for RN-LPN) has been delayed until July 2005. Developing guidelines for use by schools sending materials related to WAC 246-840-510 is on target for July. Developing the policy for handling complaints about schools of nursing is scheduled for March. The nurse refresher courses (prepare guidelines prior to licensing rules changes) are waiting for the rules to open. Qualifications for PN faculty is on target for March. The definition of program WAC 246-840-010 (21) and WAC 246-840-010 (24) has been completed. Distance learning is on target for May and the clinical sites discussion has been completed today.

- **Washington State Nursing Program Annual Report 2003-2004**

DISCUSSION: Ms. Williams presented the annual report dated March 11, 2005. WAC 246-840-520 (3) requires approved nursing education programs to submit an annual report to the Nursing Commission, allowing the Nursing Commission to monitor statistics related to enrollment and graduation from nursing programs. A copy of the 2003-2004 annual report is available by contacting the commission office at (360) 236-4713. The plan is to share this annual report with CNEWS in April.

15. The meeting was adjourned at 1:30PM on March 11, 2005, by Dr. Judith Personett, Chair. Notes were taken by Kris McLaughlin.